

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**Terri Pechner-James and
Sonia Fernandez,
Plaintiffs,**

V.

**City of Revere, Thomas Ambrosino, Mayor
City of Revere, Police Department,
Terrence Reardon, Chief,
Bernard Foster, Salvatore Santoro, Roy
Colannino, Frederick Roland, Thomas Doherty,
John Nelson, James Russo, Michael Murphy,
and Steven Ford,
Defendants.**

C.A. NO. 03-12499-MLW

**DEFENDANTS BERNARD FOSTER, SALVATORE SANTORO, ROY COLANNINO,
FREDREICK ROLAND, THOMAS DOHERTY, JOHN NELSON, JAMES RUSSO,
MICHAEL MURPHY AND STEVEN FORD'S STATUS REPORT**

The above-named Defendants hereby provide a brief status of the case as follows:

1) SETTLEMENT

On June 21, 2004 plaintiffs demanded \$4,375,500.00 as total settlement. This demand was broken down for each plaintiff. Plaintiff Terri Pechner-James demanded \$2,337,750.00. This demand included front pay calculated from date of her alleged discharge to age 66 in the amount of \$2,037,750.00, and \$300,000.00 for emotional pain, suffering, inconvenience, mental anguish and loss of enjoyment of life. Plaintiff Sonia Fernandez demanded \$1,908,750.00. This demand included front pay calculated from the date of her alleged discharge to age 66 in the amount of \$1,608,750.00, and \$300,000.00 emotional pain, suffering, inconvenience, mental anguish and loss of enjoyment. These demands were discussed at the previous Scheduling Conference at which time the plaintiffs were informed that the demand was unrealistic.

Plaintiffs' demands have not been reduced since the Scheduling Conference despite the fact the plaintiffs have received retirement benefits from the City of Revere Retirement Board. As discussed during the Scheduling Conference, counsel for the above-named Defendants represent them as individuals. Surely they can not pay the absurd amount demanded by plaintiff. Plaintiffs' attorney, Carlton Dasent, set a meeting with the undersigned counsel for the week of April 18, 2005, however he failed to show and offered no explanation for his absence.

2) CASE STATUS

a) Discovery - Interrogatories and Production of Documents

Discovery has been on-going. The above-named Defendants forwarded interrogatories and requests for production of documents to plaintiff and responses are due.

On April 11, 2005 defense counsel spoke with plaintiffs' attorney regarding the outstanding discovery and was informed that plaintiffs' counsel had a box of responsive documents. Attorney Dasent indicated he would be in the Worcester area the week of April 18, 2005 and preferred to drop off the documents and to meet with the defense counsel to discuss the case and the documents. Defendants' Counsel informed him that time would be made to meet with him to discuss the case, but any document review would be done separately. A letter confirming this conversation was sent on April 14, 2005 to Attorney Dasent. No such meeting was had although some documents were received at a later date via U.S. mail. Defendants' counsel believes that the production falls short of the mark and that plaintiff Terri-Pechner James' interrogatory responses remain outstanding though served in February 17, 2005.

b) Discovery - Depositions

Plaintiffs' depositions were scheduled for April 19 and 21st, 2005. Plaintiffs' counsel requested the depositions be postponed due to a scheduling conflict. The undersigned defense counsel assented to the requested postponement as a courtesy and due to the outstanding discovery responses from plaintiff. Defense counsel is attempting to obtain the discovery responses without Court intervention and thereafter will reschedule plaintiffs depositions.

3) MEDIATION

At the present time the above-named Defendants are not amenable to mediation since discovery is outstanding. Once discovery is complete, the undersigned defendants will be better positioned to assess the case and the desirability of mediation.

The Defendants
Bernard Foster, Salvatore Santoro, Roy
Colannino, Frederick Roland, Thomas
Doherty, John Nelson, James Russo,
Michael Murphy and Steven Ford
by their attorneys,

/s/ John K. Vigliotti
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